

**BRECKINRIDGE COUNTY PROJECT DEVELOPMENT BOARD  
REGULAR MEETING**

**APRIL 20, 2010**

**Re: Call to Order**

Chairman Powers called to order the regularly scheduled meeting of the Breckinridge County Project Development Board at 5:30 CST at the Breckinridge County Fiscal Court Annex Building on April 20, 2010. **Roll Call.** Members Present:

Ray Powers, Chairman  
Judge Shan Embry, District Judge  
Judge Bruce Butler, Circuit Judge  
Connie Brumfield, Circuit Court Clerk  
Charles Allen Wilson, Citizen at Large  
Tom Brite, KY Bar Representative  
Chris Alexander, AOC Representative  
Ronnie McCall, AOC Representative

Also in attendance was Mr. Bradley Butler, Co. Attorney, Mr. Dennis Arthur of Brandstetter Carroll, Mr. Richard Mitchell and Mr. Don Taylor of Codell Construction.

**Re: Approval of Minutes-March 16, 2010**

Chairman Powers entertained a motion to approve the minutes of the March 16, 2010 meeting as submitted by secretary, Odessa Hobbs with a correction of "Executive Session" to "Closed Session". No motion was made according to the recordings and a vote was taken to approve the minutes. **ALL PRESENT VOTING AYE.**

**Re: Design Discussion-Dennis Arthur, Architect, Brandstetter Carroll**

Chairman Powers turned the floor over to Mr. Dennis Arthur for Design Discussion. Dennis reported that the sample brick panels were completed and displayed at the job site for the board to view and added that the Clovercreek Brick Company had provided a sample for the boards. A lengthy discussion concluded that Clovercreek Brick could supply a brick that would meet the specifications of the project, although they are not producing the brick at this time. A sample of the smooth brick that the board preferred is not available at this time but they can have the product ready if the board chooses that brick. Mr. Arthur stated that Brandstetter Carroll was providing a level playing field for all brick producers and although they felt comfortable that the brick provided by Clovercreek Brick met the project specifications, additional testing would be performed for absorption rates on the brick chosen to insure a suitable product for the life expectancy of the building. Following a lengthy discussion on the matter, Mr. Arthur and

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Mr. Mitchell urged the board to look at the samples and relay an opinion to Mr. Roger Hayes at the construction site after the Groundbreaking Ceremony on April 23<sup>rd</sup> and discuss the brick choices at the next board meeting.

Mr. Arthur stated that Mr. Mitchell would cover the bad soils issue during the Construction Report, and continued his report with a presentation of plans that addressed a water line issue that had been revealed. Mr. Arthur asked the board members to look over the plans and consider the option of moving the secure parking area as an alternative to moving the water line. The new plan would provide additional parking spaces while creating a better traffic pattern. Removing the retaining walls should result in a cost savings to the project. Following a discussion on the pros and cons of the new plan, Mr. Arthur reported that Brandstetter Carroll would return with pricing for the change order at the next meeting and discuss approval at that time. Mr. Mitchell added that they were hopeful for a negative change order that would produce a credit for the project.

Mr. Arthur continued his report by asking the board to look over the additional interior changes that addressed some concerns that the furniture placement appeared to be too tight. Subsequent to a discussion on the Judges chamber layouts, manhole cleanup, positive flows, restroom sizes, door swing changes, grand jury spaces, maintenance areas, prisoner holding cells, hallways, drawer placement and Circuit Clerk area criteria, Mr. Arthur completed his report and requested a meeting with Connie Brumfield to go over the floor plan of her office again to avoid overlooking any details before it is too late to make any corrections.

Judge Embry asked Mr. Arthur if additional testing of the brick was routine and inquired about the price differences and what if any warranty and guarantees were associated with the products. Mr. Arthur stated that he didn't know if any brick manufacturer warranties their product since it is made following certain specifications and added that considering the concerns relating to the bricks that any brick picked for the project would be additionally tested to allow for a level playing field. Following a discussion on the above topics the board members were assured that although anything could happen, should there be a problem it would be addressed.

Chairman Powers added that it was his understanding during the meetings concerning the brick that there would be substantial savings should the board decide to go with the brick provided by Clovercreek Brick, and that it would depend on which product they chose as to where the brick would be manufactured, either by Clovercreek Brick or Owensboro Brick. Subsequent to additional discussion on the manufacturing, specifications and installation of brick, Mr. Arthur concluded his report.

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**Re: Construction Update-Richard Mitchell & Don Taylor, Codell Construction**

Chairman Powers turned the floor over to Mr. Richard Mitchell for a report on the construction progress. Mr. Mitchell reported that additional bad soils had been discovered on the site and handed out a document (Exhibit 42010-A) for the board to review. Mr. Mitchell stated that numerous conversations and meetings had been held on the subject and the resulting information in the report was the recommendations of all professionals involved as the best option available to address the foundation issues that the bad soils presented. Mr. Mitchell presented a timeline report and summarized the documents by stating that all soils from the foundation area, and 5 feet outside the foundation area, an estimated 7,000 cubic yards of earth out and 7,000 cubic yards of earth in, should be removed and replaced with suitable soil in 8 inch lifts to provide a stable foundation for the Judicial Center Building and how this process would affect the project schedule. Mr. Mitchell reported that the worst possible projected scenario would result in additional costs of \$279,327.69 to the project. Subsequent to a length discussion on the costs projected, history of the site, shifting soils, settling, cracked foundations, load bearings, test borings, ground water, days lost, engineers recommendations and other available options and alternatives the board decided that the building would only be as good as its foundation and considering the fact that its too late to fix the problem after the building is built, to move forward. Mr. Mitchell offered copies of the engineer reports, breakdowns and cost analysis to the members and further stated that progress had been made on the project concerning the foundation and foundation walls and that the State Inspector and Local Inspector had reported that everything looked good. Mr. Mitchell submitted for approval Proposal Request #1, a change from mirrors to medicine cabinets in the private bathrooms (Exhibit 42010-B) in the amount of \$258.75. Chairman Powers entertained a motion on the changes. Charles Allen Wilson moved, seconded by Judge Butler, to approve the change order. Chairman Powers called for a vote on the motion. **ALL PRESENT VOTING AYE. MOTION CARRIED.**

Mr. Mitchell finished his report and stated that he would have the #2 and #3 change orders completed for the next meeting and explained they would be covering the doors, waterlines and etc.

Mr. Dennis Arthur added that additional drains would be installed under the building to address any ground water issues and commented that all these issues are common in the State of Kentucky and that handled properly everything should be fine.

Chairman Powers asked Mr. Ronnie McCall if he had anything else to report and Mr. McCall responded by stating that if anything additional came up they could go over it at the Groundbreaking Ceremony on Friday, April 23<sup>rd</sup> if needed.

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Chairman Powers stated that Mr. Keith Brock was not present to give a report on the financials. Chairman Powers described and submitted invoices (Exhibit 42010-C) in the amount of \$157,017.64 for approval. Charles Allen Wilson moved, seconded by Connie Brumfield to approve payment of the described invoices. Chairman Powers called for a vote on the motion. **ALL PRESENT VOTING AYE. MOTION CARRIED.**

Chairman Powers under New Business asked that the board consider changing the PDB Meeting times as requested by Mr. Vance Mitchell of the AOC. Subsequent to discussion, it was decided that it would be impossible due to conflicting schedules to change the meeting date or time. The next meeting date was set for May 25, 2010 at 5:30 pm CST at the Annex Building.

Chairman Powers called for a motion to go into Closed Session to discuss personnel. Judge Embry moved, seconded by Chris Alexander to go into Closed Session. **ALL PRESENT VOTING AYE. MOTION CARRIED.**

No minutes were taken during the Closed Session.

Chairman Powers called for a motion to come out of Closed Session. Judge Embry moved, seconded by Connie Brumfield to come out of Closed Session and adjourn the meeting. **ALL PRESENT VOTING AYE. MOTION CARRIED.**

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Odessa Hobbs, PDB Secretary

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Ray Powers, PDB Chairman

